

House Bill 181

By: Representatives Morgan of the 39th, Stephenson of the 92nd, Gardner of the 57th, Watson of the 91st, and Mosby of the 90th

A BILL TO BE ENTITLED
AN ACT

To amend Code Section 15-11-28 of the Official Code of Georgia Annotated, relating to jurisdiction of juvenile court, so as to change provisions relating to superior court transferring certain cases under certain circumstances; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 15-11-28 of the Official Code of Georgia Annotated, relating to jurisdiction of juvenile court, is amended by striking subparagraph (b)(2)(B) and inserting in lieu thereof the following:

"(B) After indictment, the superior court may upon motion of the court or either party, after investigation and a hearing, and for extraordinary cause transfer any case involving a child 13 to 17 years of age alleged to have committed any offense enumerated in subparagraph (A) of this paragraph ~~which is not punishable by loss of life, imprisonment for life without possibility of parole, or confinement for life in a penal institution~~. Any such transfer shall be appealable by the State of Georgia pursuant to Code Section 5-7-1. Upon such a transfer by the superior court, jurisdiction shall vest in the juvenile court and jurisdiction of the superior court shall terminate. Any case transferred by the superior court to the juvenile court pursuant to this subparagraph shall be subject to the designated felony provisions of Code Section 15-11-63 and the transfer of the case from superior court to juvenile court shall constitute notice to the child that such case is subject to the designated felony provisions of Code Section 15-11-63."

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.